

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: 12-17-71

D. C. Form No. 106A Rev.

6

TITLE OF CASE

ATTORNEYS

Woodward Gates, by and through his next friend and legal representative, Pardi M. Gates, Brian Jacobs, by and through his next friend and legal representative, Ruth Ann Jacobs; Ruth Ann Jacobs, on behalf of themselves and all other members of the White Panther Party of Tulsa, Oklahoma, and the White Panther Party of Tulsa, Oklahoma, an unincorporated association

VS

~~Brad Scheer, individually and as Police Commissioner of the City of Tulsa, Oklahoma, Jack Purdie, individually and as Chief of Police of the City of Tulsa, Oklahoma; Captain Harvey Sollars, individually and as Captain of the Detective Division of the City of Tulsa, Oklahoma, Police Department, Jim Greene, individually and as a Patrolman of the City of Tulsa, Oklahoma, R. A. Chance, individually and as a Patrolman of the City of Tulsa Police Department, Bob Patton, individually and as Juvenile Detective for the City of Tulsa, Oklahoma, Police Department, and Jess McCullogh, individually and as a member of the Detective Bureau of the City of Tulsa Police Department~~

For plaintiff:

Stephen Jones *415-233-4321*
P. O. Box 3339
Enid, Oklahoma 73701

Suite 400
1320 19th Street
Washington, D. C.

For defendant:

581-3261
Robert H. Tips, Asst. City Atty
(Scheer) & others
the 200 Civic Center, Tulsa 74103

Irvine E. Ungerman (others)
Sixth Floor Wright Bldg.
Tulsa, Okla. 74103

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed <i>5-1-71</i>	Clerk	4-16-71	Jones	15 00	
		4-22-71	C.D.No.47		15 00
J.S. 6 mailed <i>3-1-72</i>	Marshal				
Basis of Action: Violation of Civil Rights	Docket fee				
	Witness fees				
Action arose at: Tulsa	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-16-71	Verified complaint, filed. Summons issued. m	
4-20-71	Returns on service of writ, filed: served Brad Scheer, Jack Purdie, Harvey Sollars, Bob Patton & Jim Greene on 4-16-71; served R. A. Chance, on 4-19-71; served Jess McCulloch on 4-21-71, all at Tulsa, Ok. g (USM \$21.00)	
4-30-71	Application for an extension of time for defendants to answer, filed. ds	
4-30-71	Order, extending time of Jack Purdie, Harvey Sollars, Jim Greene, R. A. Chance, Bob Patton and Jess McCulloch, to answer to 5-21-71, filed. (JHP-C1) ds	
5-6-71	Application for Extension of Time in which to Answer Complaint, filed js	
5-6-71	Order Extension of Time(15 days from 5-6-71 to answer)filed (JHP-C).js	
5-13-71	Notice of taking depositions filed by plaintiffs. ds	
5-21-71	Motion to dismiss of Brad Scheer, def., filed. h	
5-21-71	Brief in support of above filed. h	
5-21-71	Motion to dismiss of def. Captain Sollars filed. h	
5-21-71	Brief in support of above filed.h	
5-21-71	Motion to dimiss of def. Jack Purdie filed. h	
5-21-71	Brief in support of above filed. h	
5-21-71	Motion to dismiss of defs. Jim Greene, R.A. Chance, Bob Patton and Jess McCullough filed. h	
5-21-71	Brief in support of above filed. h	
5-21-71	It is ordered that plaintiffs directed to respond to defs' motions to dismiss within 10 days.(AEB-J)h letters mailed	
5-28-71	Motion to Quash Notice of Taking Depositions and Subpoena Ducas Tecum of defendant Brad Scheer filed.h	
5-28-71	Brief in support of defendant Brad Scheer's motion to quash, etc. filed.	
5-28-71	Motion to Quash Notice of Taking depositions and subpoena ducas tecum of defendant Jack Purdie filed. h	
5-28-71	Brief in support of defendant Jack Purdie's motion to quash subpoena duces Tecum and notice of taking depositions filed.h	
5-28-71	Motion to Quash Notice of Taking Depositions and Subpoena Duces Tecum of defendant Jess McCulloch filed. h	
5-28-71	Brief in support of defendant McCulloch's motion to quash subpoena Duces Tecum filed. h	
5-28-71	Motion to quash notice of taking depositions and subpoena duces tecum of defendant Bob Patton filed. h	
5-28-71	Brief in support of def. Patton's motion to quash subpoena duces tecum filed.	
5-28-71	Motion to quash notice of taking depositions and subpoena duces tacum of defendant R.A. Chance filed. h	
5-28-71	Brief in support of defendant Chance's motion to quash subpoena duces tecum filed.	
5-28-71	Motion to quash notice of taking depositions and subpoena duces tecum of defendant Jim Greene filed. h	
5-28-71	Brief in support of defendant Greene's motion to quash, etc. filed.h	
5-28-71	Motion to quash notice of taking depositions and subpoena duces tecum of defendant Harvey Sollars filed.h	
5-28-71	Brief in support of defendant Sollars' motion to quash, etc. filed.h	
5-28-71	It is ordered that plaintiffs are directed to respond to all defendants' motion to quash, etc. within 10 days. (letter mailed)h	
6-2-71	Return on service of summons filed. Served Brad Scheer, Jack Purdie, Harvey Sollars, Jim Greene, R.A. Chance, Bob Patton, Jess McCulloch, each at Tulsa, Oklahoma on 5-17-71.(\$14.00)h	
6-7-71	Motion for extension of time to 7-1-71 to file plaintiffs response to defendant motion filed. h	
6-11-71	It is ordered that motion for ext. of time granted and plaintiffs granted until July 1, 1971 to file response to motion to dismiss.(AEB-J)h	

(OVER)

DATE	PROCEEDINGS	Date Order or Judgment Noted
7-7-71	Pltf's Amended and supplemental complaint for: Permanent Injunction, Declaratory Judgment, Damages resulting from Civil Rights Violations Damages resulting from tortious conduct in violation of State Law. Filed. r	
7-7-71	Pltf's Response to Motion by Defts to Quash Notice of taking Depositions and Subpoena Duces Tecum, filed. r	
7-7-71	Pltf's Response and Brief to Motion filed by several Defts for Dismissal. Filed. r	
7-27-71	Application & Order for Extension of time in which to Answer Amended and Supplemental Complaint,- Order granting extension of time until Aug. 20, 1971. (JHP-C) js	
8-18-71	Application of defendants Scheer, Purdie et al to adopt original motions and briefs as pleadings to verified amended and supplemental complaint, filed. g	
8-24-71	Order allowing adoption of defts' original motion and brief as response to amended and supplemental complaint of plaintiffs, filed. (AEB-J)m (copies mailed)	
10-27-71	Order by Court that Magistrate hear motions, et al. (AEB-J)v	
10-27-71	These motions having been referred to the United States Magistrate for hearing and recommendation, the United States Magistrate recommends that the three (3) Motions to dismiss of Brad Scheer, Captain Sollars, and Jack Purdie be sustained---the Motion to dismiss of Deft.s, Greene, Chance, Patton & McCullough be overruled---that the Seven (7) Motions to Quash Notice of Taking Depositions and Subpoena Duces Tecum of Deft., Brad Scheer; of Deft., Jack Purdie; of Deft., Jess McCullough; of Deft., Bob Patton; of Deft., R.A. Chance; of Deft., Jim Greene; & of Deft., Harvey Sollars; be sustained. Thirty days are granted for additional pleadings or answers and Deft.'s attorney, Irvine E. Ungerman, is to prepare the order. ---Plaintiff was not represented, and Deft.s represented by Irvine E. Ungerman. (MLB-U.S.Mag.)v	
11-4-71	Recommendations of Magistrate, filed. g	
11-4-71	Order approving recommendations of the Magistrate; motions to dismiss complaint filed by defts. Brad Scheer, Harvey Sollars and Jack Purdie are sustained and action dismissed as to said defendants; motions to dismiss filed by defts. Jim Greene, R. A. Chance, Bob Patton and Jess McCullough are overruled and said defendants granted 30 days from this date within which to answer complaint; motions to quash notices to take depositions and all subpoenae duces tecum issued are declared null and void, filed and entered. (AEB-J)g	
12-3-71	Answer of the Defendants, Jim Greene, R. A. Chance, Bob Patton, and Jess McCullough, filed. v	
12-8-71	Parties directed to hold pre-trial prior to 1-12-72 and file pre-trial order not later than 1-19-72. (AEB-J)m	
12-17-71	Pltf's demand for jury trial, filed. m	
1-21-72	Praecipe for Subpoena, filed. v -DepOsition SubpOena to Testify issued.	
1-21-72	Notice of Taking Depositions of the Deft.s by the Plaintiff on 2-10-72 in Tulsa, Okla., filed. v	
1-21-72	Case set for Jury Trial, Monday, 2-14-72, at 9:30 A.M. (AEB-J)v	
1-24-72	U.S. Marshals Service, Return on Subpoena, filed. Served Jack Purdie, Chief of Police, in Tulsa, Okla., on 1-24-72 with fees of \$2.00. v	
2-1-72	Minute Order: Ordered that pltf's. letter request for continuance of trial to next jury docket, is denied. (AEB-J) rm	
2-1-72	Request of pltf. (by letter) for continuance of jury trial to next docket, filed. rm	

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-1-72	Pre-trial order, filed. (AEB-J) rm	
2-2-72	It is ordered that his matter be tried as a Class Action and Plaintiff is ordered and directed to give proper notice of said class action by publication notifying that this action is set for Jury trial on February 14, 1972, (AEB-J) js	
2-3-72	Motion to quash deposition subpoena duces tecum, filed. ds	
2-3-72	Brief in support of motion to quash deposition subpoena duces tecum, filed. ds	
2-3-72	Notice of taking depositions by defendants, filed. ds	
2-7-72	Order sustaining motion to quash deposition subpoena duces tecum filed. (AEB-J)	
2-9-72	U.S. Marshals Service, Return on Subpoena, filed. Served Woodward Gates in Tulsa, Okla., on 2-7-72 with fees of \$2.00. v	
2-9-72	U.S. Marshals Service, Return on Subpoena, filed. Served Brian Jacobs in Tulsa, Okla. on 2-8-72 with fees of \$2.24. v	
2-9-72	U.S. Marshals Service, Return on Subpoena, filed. Served Ruth Ann Jacobs in Tulsa, Okla., on 2-8-72 with fees of \$2.00. v	
2-9-72	U.S. Marshals Service, Return on Subpoena, filed. Served Pardi M. Gates in Tulsa, Okla., on 2-7-72 with fees of \$4.88. v	
2-10-72	Motion of pltfs. for voir dire examination, filed. rm <i>(orig. to mail)</i>	
2-10-72	Brief of plts. in answer to motion to quash deposition subpoena duces tecum, filed. rm <i>(copy to mail)</i>	
2-14-72	Case called for jury trial. Defendants represented. Parties announce settlement. Motion for dismissal filed. Defendant to prepare proper order of dismissal with prejudice, and case stricken from jury docket of this date. (AEB-J)h	
2-24-72	Order of dismissal with prejudice, filed and entered; each party to pay own costs. (AEB-J) rm (copies mailed)	